

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

(1) OUTLAW RESTAURANTS, INC.,)	
)	
Plaintiff,)	
)	
vs.)	Case No. CIV-15-992-L
)	
(1) CENTURY SURETY COMPANY; and)	(Oklahoma County District
(2) USG INSURANCE SERVICES, INC.,)	Court Case No. CJ-2015-2999)
)	
Defendants.)	

**DEFENDANTS CENTURY SURETY COMPANY AND USG INSURANCE
SERVICES, INC.'S NOTICE OF REMOVAL**

COME NOW Defendants Century Surety Company and USG Insurance Services, Inc., pursuant to 28 U.S.C. §§ 1441 and § 1446, and file this notice of removal of the above-titled action from the District Court of Oklahoma County, Oklahoma, to the United States District Court for the Western District of Oklahoma.

DEFENDANTS' STATEMENT OF GROUNDS FOR REMOVAL

1. Plaintiff is a corporation organized under the laws of Oklahoma, with its principal place of business in Oklahoma.
2. Defendant Century Surety Company is a corporation organized under the laws of Ohio, with its principal place of business in Michigan.
3. Defendant USG Insurance Services, Inc. is a corporation organized under the laws of Pennsylvania, with its principal place of business in Pennsylvania.
4. Century Insurance Group, a division of Meadowbrook Insurance Group, is not a legal entity and therefore cannot be a party to this action.

5. On May 27, 2015, Plaintiff filed a petition in state court, Oklahoma County, Oklahoma, asserting breach of contract and bad faith claims, and seeking damages in excess of \$75,000.00, exclusive of interest and costs. (Exhibit # 1, Petition, ¶ 21).

6. On August 21, 2015, Plaintiff's Petition was served upon Century Surety Company through the Oklahoma Insurance Department.

7. On August 25, 2015, Plaintiff's Petition was served upon USG.

8. This Notice of Removal is filed within 30 days of service of the Petition upon Defendants, and is therefore timely pursuant to 28 U.S.C. § 1446(b)(3).

9. This Court has jurisdiction because of the complete diversity of citizenship of the parties hereto, and the sufficiency of the amount in controversy, pursuant to 28 U.S.C. § 1332(a)(1).

10. In accordance with 28 U.S.C. § 1446(a) and LCvR 81.2, copies of all documents served on Defendants in the case to date, along with a copy of the state district court Docket Sheet, are submitted with this Notice of Removal. (Exhibit # 1, Petition; Exhibit # 2, Court Filings; Exhibit # 3, Docket Sheet).

WHEREFORE, Defendants Century Surety Company and USG Insurance Services, Inc., respectfully pray that this Notice of Removal be accepted by this Court, and that the lawsuit proceed as an action properly removed to this Court's jurisdiction.

Respectfully submitted,

s/Phil R. Richards

Phil R. Richards, OBA #10457
Randy Lewin, OBA #16518
Kelsie M. Sullivan, OBA # 20350
RICHARDS & CONNOR
12th Floor, ParkCentre Building
525 S. Main Street
Tulsa, Oklahoma 74103-4509
Telephone: (918) 585-2394
Facsimile: (918) 585-1449

ATTORNEYS FOR DEFENDANTS
CENTURY SURETY COMPANY AND
USG INSURANCE SERVICES, INC.

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of September, 2015, I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing. Additionally, pursuant to 28 U.S.C. § 1446(d), true and correct copies of the Notice of Removal were mailed, postage prepaid, to the following:

Tim Rhodes
Oklahoma County Court Clerk
320 South Robert S. Kerr Avenue, Room 409
Oklahoma City, OK 73102

Joseph K. Goerke
MULINIX EDWARDS ROSELL & GOERKE
3030 Oklahoma Tower
210 Park Avenue
Oklahoma City, OK 73102

s/Phil R. Richards